



June 16, 2005

## **2005 Listing Determinations for 16 Pacific Salmon ESUs**

### **Today's Actions**

Today, the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries Service) announced the release of a final hatchery policy and listing determinations for 16 of 27 populations (called "evolutionary significant units" (ESUs)) of Pacific salmon and steelhead. NOAA Fisheries Service also announced that it will extend final decision-making on the listing determinations of Oregon Coast coho and 10 currently listed steelhead populations (called *O. mykiss*) for six months.

### **Background**

Beginning in the early 1990s, NOAA Fisheries Service listed 26 ESUs of salmon and steelhead as either threatened or endangered in Washington, Oregon, Idaho, and California. In September 2001, an Oregon federal district court held that NOAA Fisheries Service improperly failed to account for hatchery populations in its ESA listings (the *Alsea* decision). In February 2004, the Ninth Circuit Court of Appeals denied a petition for appeal of the *Alsea* decision.

The listing determinations and status reviews are based on a report produced in early 2003 by NOAA Fisheries Service's Biological Review Team detailing the biological status of naturally spawning stocks and its assessment of the effects of hatchery programs on ESU viability, and on conclusions from the Artificial Propagation Evaluation Workshop held in April 2004. On June 14, 2004, NOAA Fisheries Service issued proposed listing determinations for the 26 ESUs plus an additional proposed listing. Over the last year, NOAA Fisheries Service received thousands of public comments and held several public hearings on the proposals.

### **Highlights of Hatchery Policy**

- *Minor technical changes in response to comments.* The final policy clarifies terms in response to scientific peer reviewers and public comments received on the proposal hatchery policy released in June 2004. In addition, the final policy strengthens its emphasis on the intent of the policy to be conservation of natural salmon populations and the ecosystems upon which they depend.
- *Recognition of long-term health of species.* The final policy recognizes that the long-term health of salmon populations depends not just upon large numbers of fish, but also on the productivity, genetic diversity, and geographic distribution of the fish.

- *Inclusion of Hatchery stocks in listing decisions.* The application of the policy will now provide for the inclusion of 131 hatchery stocks that are closely-related biologically to naturally-spawning populations and considered part of the total ESU for ESA purposes.

### **Highlights of Final Listing Determinations for 16 Sockeye, Chum, Chinook and Certain Coho ESUs**

- *14 of 16 Unchanged from Prior Status.* The final determinations for each of the sockeye, chum and Chinook listings and the southern Oregon/northern California coast coho will remain unchanged from their listing status before the 2004 proposed listing determinations.
- *Central California Coast Coho Changed to “Endangered.”* The status of the central California coast coho was changed from “threatened” to “endangered.” The state of California has previously proposed listing of this ESU under California’s state ESA.
- *Lower Columbia River Coho Added as “Threatened.”* The lower Columbia River coho, which had previously been denoted a “candidate” species, was listed as “threatened” in the final determination, increasing the total ESUs listed from 26 to 27.

### **Oregon Coast Coho**

NOAA Fisheries Service’s scientists, upon completion of their review of the Oregon coast coho status, noted that the dramatically improved status of the population made it a close decision as to whether the ESU was “threatened” or “not warranted.” The state of Oregon conducted its own review of the population’s risk of extinction, relying on new information, and concluded that long-term prospects for the species’ survival are higher than NOAA’s review had suggested. Over the past several months, the state of Oregon provided its analysis to Fisheries Service scientists, which was also made available for public review and comment. The state’s final assessment was released on May 6, 2005. NOAA Fisheries Service’s scientists are reviewing the state’s assessment information and intend to make a final decision prior to the end of the six-month extension period.

### **10 Steelhead (*O.mykiss*) ESUs**

In 2004, NOAA Fisheries Service proposed listing 9 steelhead stocks as “threatened” and one as “endangered,” including resident rainbow trout populations that occur with steelhead in the same ESU. Over the past few months, three independent scientific reports and a letter from the U.S. Fish and Wildlife Service have been submitted to NOAA Fisheries containing information on the relationship of anadromous and resident *O.mykiss* stocks and the viability of ESUs with both types of populations. The Fish & Wildlife Service has management authority over all resident rainbow trout species. NOAA Fisheries Service is reviewing the new information, will discuss the issues with the Fish & Wildlife Service, and intends to make final listing determinations for the 10 *O.mykiss* ESUs within the six-month extension period.

More information about the status reviews and listing determinations of each of the 27 listings of Pacific salmon and steelhead will be available at: <http://www.nwr.noaa.gov>.